

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION  
CIVIL CASE NO. 5:22-cv-00076-MR**

OSCAR PEREZ, )  
                    )  
Plaintiff,       )  
                    )  
vs.               )  
                    )  
RONNIE LANE HUNEYCUTT, et al., )                   **ORDER**  
                    )  
Defendants.      )  
                    )

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**THIS MATTER** is before the Court on the Plaintiff's pro se Motion for an Extension of Time to Close Discovery [Doc. 35] and Motion to Compel Discovery [Doc. 37].

The pro se incarcerated Plaintiff filed this civil rights action pursuant to 42 U.S.C. § 1983. The Amended Complaint passed initial review on Eighth Amendment claims regarding the conditions of his confinement and for deliberate indifference to his serious medical or psychological needs. [See Doc. 19]. The Defendants were served and filed an Answer, and the Court entered a Pretrial Order and Case Management Plan that set the discovery cutoff date as October 10, 2023, and made dispositive motions due by November 9, 2023. [Docs. 28, 29]. The Court subsequently extended the

deadline to file dispositive motions until December 18, 2023. [Dec. 13, 2023 Text-Only Order].

On September 24, 2023, the Plaintiff filed the instant Motion seeking an extension of time so that he may resolve some discovery disputes with the Defendants. [Doc. 35]. On October 12, 2023, he filed his Motion to Compel. [Doc. 37]. The Defendants argue that the Motion to Compel is moot because the Defendants have provided all of the materials at issue in its supplemental production. [Doc. 39]. The Plaintiff has not responded, and the time to do so has expired.

It appears that the parties' discovery dispute has now been resolved. Accordingly, the Plaintiff's motion to compel and motion to extend the discovery deadline are denied as moot.

**IT IS, THEREFORE, ORDERED** that the Motion for an Extension of Time to Close Discovery [Doc. 35] and Motion to Compel Discovery [Doc. 37] are **DENIED AS MOOT**.

**IT IS SO ORDERED.**

Signed: December 19, 2023



Martin Reidinger  
Chief United States District Judge

